

Women in the Custody of the Department of Corrections

Critical Issues and Suggestions for Change

1. Limit incarceration and detention to violent crimes where women pose a risk to

society: Title 28 advocates the following: *“Reserve prison for dangerous, violent, and repeat felony offenders.”*

2. Create alternatives to incarceration for women: Alternatives need to recognize the lower risk to public safety created by the typical offenses and infractions committed by female offenders and their pathways to crime. They also need to be women-centered, culturally appropriate, and gender responsive in their approaches.

- Use diversion for *de minimis* misdemeanor offenders such as in Winooski, St. Johnsbury, Burlington where it has been piloted using Community Justice Centers.
- Use alternative sentencing, such as community restitution, suspended fines, assignment to work training program and/or appropriate community supportive housing or treatment program and increase alternatives to detention; make sure these alternatives are gender responsive and specifically designed to address some of the issues for women in the current designs.
- Create adequate numbers of community placements/programs for substance abuse treatment purposes for women primarily with non-violent offenses; these treatment placements need to be designed for the appropriate level of treatment (based on assessment), holistic, integrated, and address the intersecting issues of trauma, mental health and substance abuse; they also need to be relational, acknowledging and promoting the need for healthy relationships with children, family, significant others and the community.
- Develop a continuum of safe and supportive living environments with appropriate levels of structure and programming. (see below in #5 for more detail)

3. Restructure Probation to be Term Limited instead of being subject to ‘further order of the Court’, which has come to mean ‘endless’.

4. Restore Earned Good Time

5. Find ways to release women who are waiting/eligible to be released into safe supportive housing situations and a network of community services that best meet their needs as they transition into their communities. Housing programs should include the following:

- Establish pre-release, “step-out” centers in communities where women are returning so they can look for housing and employment while still living under DOC supervision.
- Community-based outpatient treatment programs/counseling (see #2 above).
- Subsidized transitional living environments (short-term, longer-term; 6-12 in number per housing unit depending on area) with a continuum of structure, support and programming for women with and without children who do not have appropriate housing options, do not need inpatient treatment, or are post such treatment and would benefit from a transitional living environment.
- Community service and restitution as a part of a woman’s plan.
- Short prison stay for women who need a break from bad situations followed by structured, supportive living in the community.
- Living on own, with children or with family with appropriate community supports such as day care and many of the supports cited above.
- Shared housing for women that is not dependent on staffing and programming and has a planned framework for success; shared housing with other women who have been involved with DOC and have been successful.
- Foster families program where volunteers in the community would take in women – initially paid by State, then by women.

Women in the Custody of the Vermont Department of Corrections

Key Facts

- 22% of Vermont's total correctional population is women. The national average is 17%.
- Approximately 3,000 women are under some form of supervision with the Department; of these an average of 145 are incarcerated. Women's incarcerative capacity for general population beds is 128 (the rest are for segregation and mental health. Currently, 17-21 women over capacity.
- In the last 10 years, the **incarceration rate for women** in Vermont has **risen 440%** and their **incarceration rate for non-violent crimes** has **increased 437%**.
- In the last 10 years, despite the relatively **small increase in the percentage of total arrests of women**, their **conviction rate and entrance into DOC increased 159%**.
- In the last 4 years, the number of brand **new cases** for **women** coming into the system has **increased** from 969 to 1,064; for **men** this number has **decreased**. Women now account for 26% of new cases coming in to the department
- The most serious, **most frequently occurring offense for incarcerated women** is **False Pretenses**. For the **men** it is **Sexual Assault on a Minor**.
- Of the total female population, **less than 3%** have **felony level violence** convictions. Only **15%** have even a **misdemeanant level violence** conviction.
- Out of the 901 women entering a facility in 2004, 606 were **detainees** or **67%**; the **detention rate** has **increased 54%** for **women**, **30%** for **men**.
- There are currently **12 women incarcerated for lack of residence**, out of a total of 85 sentenced incarcerated women (**14 % of the sentenced incarcerated population**). This compares to **122 men out of 1630 (7% of the sentenced incarcerated population)**.

Profile of Women in the Custody of the Department of Corrections (from 2003-2004 study)

- 62% between ages of 24-44, 25% between ages of 16-23, 13% between ages of 45-86; fastest growing population is the 16-23 year olds
- 70% have high school diplomas
- 43% were married when incarcerated; 76% have children; 70% of the children are school aged; 20% of women came to prison pregnant
- 61% of these children were being cared for by family members, 37% were in state custody, 2% were being cared for by a non-family member
- 51% of the incarcerated women self-reported as having a problem with alcohol, 49% with drugs; family case workers report that closer to 95% of the women have substance abuse problems
- 88% of the women had experiences some type of child abuse and either adult sexual assault or domestic violence
- 60% of incarcerated women were on the mental health roster (this is 25% in male population)